

Court of Appeals, State of Michigan

ORDER

Jeffrey Allen v Farm Bureau Insurance

Docket No. 267918

LC No. 05-530652-CK

Kurtis T. Wilder
Presiding Judge

Michael J. Talbot

Kirsten Frank Kelly
Judges

The Court orders, pursuant to MCR 7.205(D)(2), that the trial court's January 13, 2006 order denying the motion for a change of venue is REVERSED. Venue in this matter is to be determined by reference to the tort venue statute, MCL 600.1629. See MCL 600.1641(2). Based on plaintiff's allegations of negligence, the "original injury" occurred in appellant's Oakland County office. See generally, *Karpinski v St John Hospital-Macomb Center Corp*, 238 Mich App 539; 606 NW2d 45 (2000). The location of the "original injury," along with the fact that plaintiff is an Oakland County resident, renders Oakland County the proper venue. MCL 600.1629(1)(b)(i).

The motion to file a late answer is GRANTED.

This matter is REMANDED to the trial court for further proceedings consistent with this order. In particular, the trial court shall transfer this matter to Oakland County Circuit Court. We do not retain jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JUN 13 2006

Date

Sandra Schultz Mengel
Chief Clerk